



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

**FACTUAL SUMMARY OF THE PUBLIC CONSULTATION
ON THE REVISION OF THE EU GEOGRAPHICAL INDICATIONS (GIS) SYSTEMS
IN AGRICULTURAL PRODUCTS AND FOODSTUFFS, WINES AND SPIRIT DRINKS**

Disclaimer: This document should be regarded solely as a summary of the contributions made by stakeholders in the open public consultation in the framework of the revision of the EU Geographical Indications systems in agricultural products and foodstuffs, wines and spirit drinks. It cannot in any circumstances be regarded as the official position of the Commission or its services.

1. INTRODUCTION

In the context of the initiative on the revision of the European Union (EU) geographical indications (GIs) systems in agricultural products and foodstuffs, wines and spirit drinks, the Commission organised an on-line open public consultation (OPC). The OPC was conducted from 15 January 2021 to 9 April 2021 on EUSurvey. The consultation questionnaire was accessible via the European Commission's public website¹, in all official EU languages.

The consultation questionnaire was structured in four parts and covered the following topics:

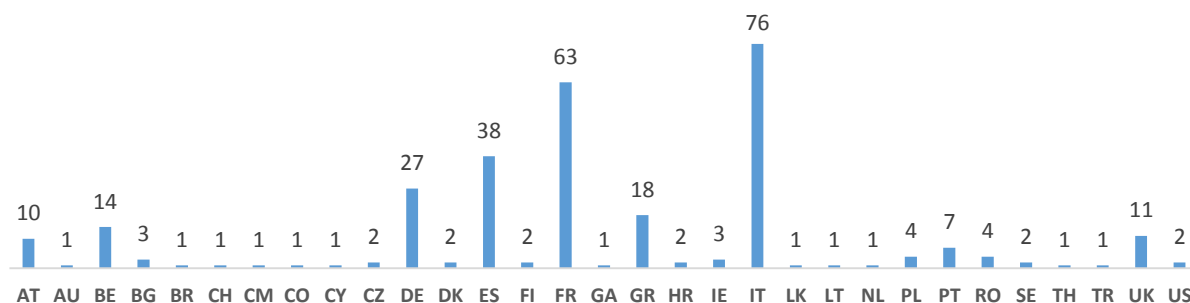
- State of play of the GI schemes today, aiming at identifying the main challenges and their underlying causes (Part I);
- Objectives which will contribute to strengthening GIs (Part II);
- Different policy options to reach the objectives (Part III);
- Expected impacts of the GI schemes revision (Part IV).

2. OVERVIEW OF RESPONSES

A total of 302 replies to the consultation questionnaire were received. Respondents originated from 31 countries, out of which 20 EU Member States² and 11 non-EU countries.

The number of respondents differed between the EU Member States. The largest share came from Member States which also account for a high number of names protected under the EU quality schemes, i.e. Italy, France, Spain and Germany.

Figure 1. OPC respondents by country of origin (in absolute terms)



Note: **N=302**. AT-Austria, AU-Australia, BE-Belgium, BG-Bulgaria, BR-Brazil, CH-Switzerland, CM-Cameroon, CO-Colombia, CY-Cyprus, CZ-Czechia, DE-Germany, DK-Denmark, ES-Spain, FI-Finland, FR-France, GA-Gabon, GR-Greece, HR-Croatia, IE-Ireland, IT-Italy, LK-Sri Lanka, LT-Lithuania, NL-Netherlands, PL-Poland, PT-Portugal, RO-Romania, SE-Sweden, TH-Thailand, TR-Turkey, UK-United Kingdom, US-United States.

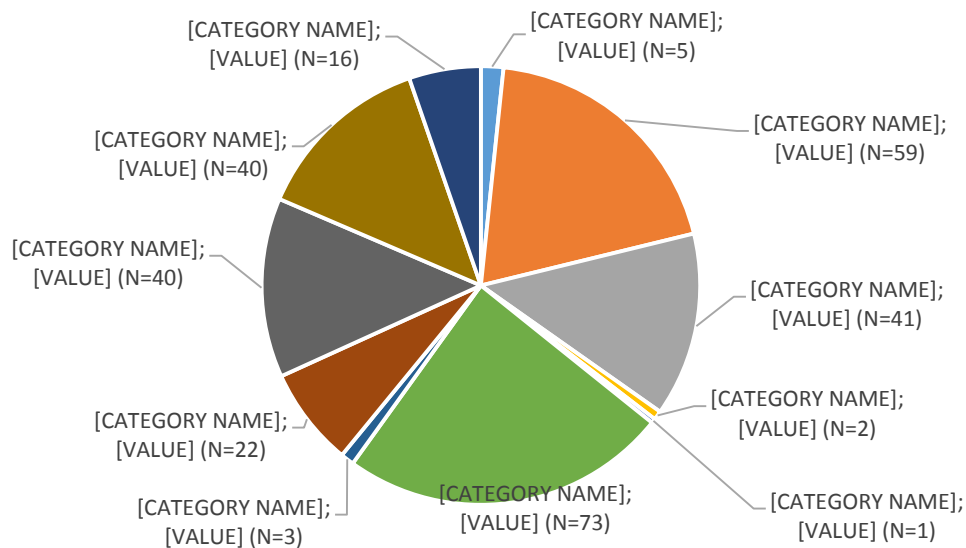
Of all the respondents, EU citizens provided the highest number of answers (as a share: 24%, and in absolute terms: 73 replies out of N=302), followed by business associations (20%, 59 replies), companies/business organisations (14%, 41 replies) and public authorities (13%, 40 replies).

¹<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12664-Food-drink-EU-geographical-indications-scheme-revision->

² There were no replies from Estonia, Hungary, Latvia, Luxembourg, Malta, Slovakia and Slovenia.

Non-governmental organisations (NGOs) contributed for 7% (22 replies) of the total share of respondents, academic and research institutions for 2% (5 replies), and non-EU citizens for 1% (3 replies). The remaining 13% (40 replies) of respondents identified themselves as “others”.

Figure 2. Respondents to the OPC (per stakeholder category)



Note: N=302

3. OVERVIEW OF RESULTS

3.1. Challenges and underlying causes

3.1.1. Challenges

The first question of the consultation asked the respondents to identify the most important challenges the scheme is facing today. Preventing fraud and counterfeit labelling of fake GIs, notably on the internet, received the highest score³, with 97%⁴ of respondents believing it is important, closely followed by the necessity to increase consumer awareness of the GI logos (96%). Finally, giving GI producer groups greater powers and responsibilities, as well as increasing sustainability of GI products, should also be two priorities of the reform of the scheme according to the participants.

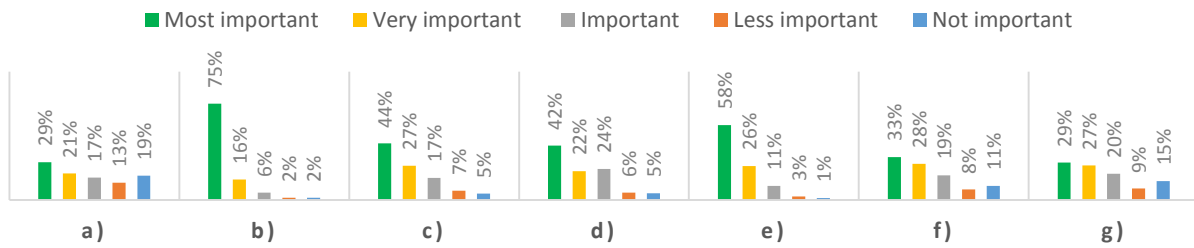
Stakeholders supported the three remaining challenges with slightly lower reply as “Most important”. Ensuring that GI producers adhere to production standards appears to be the least relevant challenge for the reform of the scheme, with almost a third⁵ of answers considering that it is not (so) important.

³ Respondents were given the possibility not to rate all the items. The absolute number of answers varies among the questions.

⁴ Scores of replies ‘Important’, ‘Very important’, and ‘Most important’ were added up. This method is used consistently throughout the analysis of results.

⁵ Scores of replies ‘Not important’ and ‘Less important’ were added up.

Figure 3. Challenges faced by the GI schemes today



Note: 97% (N=291) of the respondents replied for the challenge e), 95% (N=286) for the challenge c), 94% (N=284) for the challenge b), 93% (N=281) for the challenges d) and f), 91% (N=275) for the challenge a), and 86% (N=260) for the challenge g).

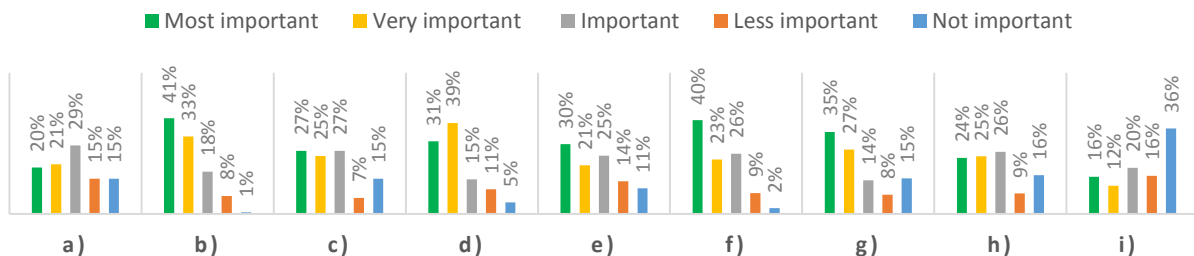
- a) Ensuring GI producers adhere to production standards
- b) Preventing fraud and counterfeit labelling of fake GIs, notably on the internet
- c) Maintaining and increasing sustainability (environmental, social and economic aspects) of GI products
- d) Giving GI producer groups greater powers and responsibilities to manage, promote and enforce their GI
- e) Increasing consumer awareness of the GI logos and the quality products guaranteed under GI schemes
- f) Simplifying and reducing delays in the registration of GI applications
- g) Preventing producers from deviating from production rules laid down for traditional products protected at EU level

3.1.2. Underlying causes

In the second question of the consultation, stakeholders were asked to rate the underlying causes related to the challenges identified above by order of importance. Almost all the respondents, i.e. 92%, identified the increased exploitation of the reputation of GIs on internet as an important underlying cause. More specifically, 41% of answers defined this issue as ‘Most important’. The lack of information and publicity about the schemes came second in ranking, closely followed by the increasing consumer concerns and demand for sustainable products.

Only one of the proposed underlying causes received very little support, as more than half of the respondents do not see an issue with traditional product names being limited to registered producers and restricted to legally binding recipes including dishes served in restaurants. The five remaining underlying issues were considered as equally important with around 75% of the respondents’ support.

Figure 4. Underlying issues explaining the schemes’ weaknesses



Note: 94% of the respondents replied for the issue d) (N=284), 93% (N=281) for the issue f) and c) (N=280), 92% (N=278) for the issue g), 91% (N=274) for the issue a), 90% (N=273) for the issues b) and h), 88% (N=266) for the issue e), and 77% (N=234) for the issue i).

- a) There is no consolidated set of rules for controls and enforcement

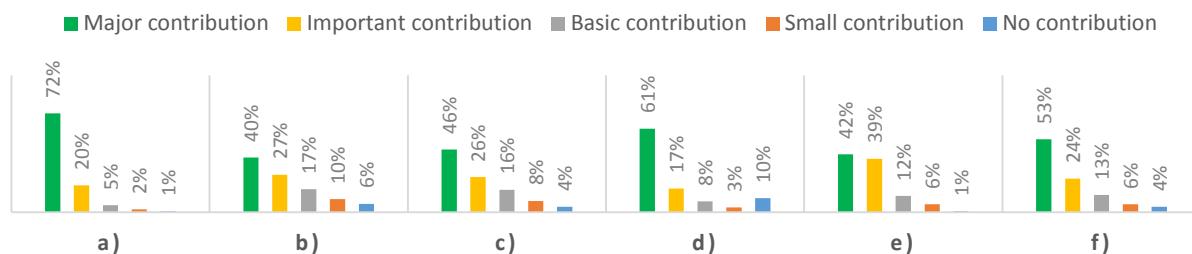
- b) Increased exploitation of reputation of GIs on internet
- c) Changes in the market place develop faster than legislation
- d) Increasing societal concerns and consumer demand for sustainable products
- e) GI producer groups are not able to take decisions binding on their members
- f) Lack of information and publicity about the schemes
- g) The GI logo message – guaranteeing authentic product from a particular region – does not come across
- h) The legislation is fragmented and hence difficult to understand and apply
- i) Traditional product names are a common heritage that should not be owned by registered producers nor restricted to legally binding recipes

3.2. Objectives

The second part of the questionnaire was dedicated to objectives that need to be met to strengthen the GI schemes. The most important objective to pursue, with more than 92%⁶ of respondents clearly in favour, is the improvement of the protection and enforcement of GIs in the Member States, in order to prevent fraud, unfair competition and misleading consumers, including on the internet. The need for establishing efficient procedures through clear and coherent rules for producers received 82% of answers for the replies ‘Important contribution’ and ‘Major contribution’ combined. The third most essential objective in order to strengthen the GI schemes is to enable consumers to make informed choices through clear information, i.e. logo and labelling information.

Overall, every objective mentioned in the consultation was considered by the majority of the respondents as an important to major contribution to reach the overall goal of strengthening GIs.

Figure 5. Objectives contributing to the overarching goal of strengthening GIs



Note: 97% of the respondents replied for the objective d) (N=293) and b) (N=292), 96% (N=289) to the objective a), 95% (N=286) for the objective e), 93% (N=280) for the objective c), and 92% (N=278) for the objective f).

- a) Improved protection and enforcement of GIs in the Member States to prevent fraud, unfair competition and misleading consumers, including on the Internet
- b) GIs produced to an ambitious standard of environmentally and socially sustainable criteria to meet societal demands and consumer expectations
- c) GI producer groups empowered to manage their GIs to improve economic sustainability
- d) Clear information on GIs, through the logo and labelling information, to enable consumers to make informed choices
- e) Efficient GI procedures through clear and coherent rules for producers, other operators and administrations
- f) Focus on promotion of European gastronomic heritage to preserve traditional products and production methods

⁶ Scores of replies ‘Important contribution’ and ‘Major contribution’ were added up.

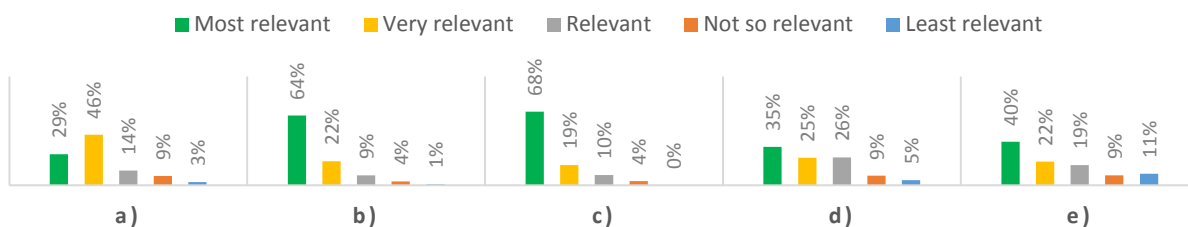
3.3. Policy approach

In the third section of the consultation, respondents were asked to formulate their views on possible options to address the identified challenges. The six following subsections are dedicated to the analysis of the received answers.

3.3.1. Improved protection and enforcement

The two following options received a very high support in order to improve protection and enforcement. First, 95%⁷ of respondents believe that protection of a GI should prevent the use of words, images and lookalike product that the consumer might link to the GI. They also strongly support the idea of giving authorities and GI producer groups effective powers to stop misuses and fraud of GIs on internet (97%). Overall, the five proposed options received high scores with always more than 80% of respondents considering them as relevant, very relevant or most relevant options to improve protection and enforcement.

Figure 6. Options for improved protection and enforcement



Note: 94% of the respondents replied for the option b) (N=285) and c) (N=284), 93% (N=280) for the option a) and d), and 91% for the option e).

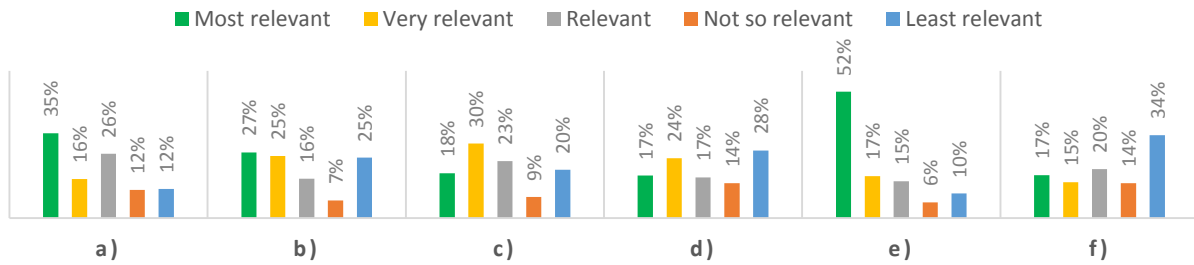
- More guidance and training to Member State's authorities, control bodies and GI producers groups on controls and enforcement
- Protection of a GI should prevent the use of words, images and lookalike product that the consumer might link to the GI
- Give authorities and GI producer groups effective powers to stop misuses and fraud of GIs on internet platforms and in internet domain names
- Require Member States to establish standardised control check lists and harmonised sanctions, replacing their choice of means to suit national circumstances
- Make GI certificates available to accompany GI product throughout distribution channels

3.3.2. Reinforce sustainable production of GI-designated product

On the question related to sustainability, more than half of the respondents see the opportunity of providing specific financial support to GI producers who meet a high standard of sustainable production as the most relevant option. On the contrary, almost half of the respondents do not see much importance in establishing a list of non-sustainable practices, with 34% of respondents identifying it as the 'least' relevant approach to follow. In addition, 77% of the respondents also agree that GI producers should not be required to follow higher sustainability standards than any other producer, because GIs intrinsically include natural features, human skills and tradition in the region.

⁷ Scores of replies 'Relevant', 'Very relevant', and 'Most relevant' were added up. This method is used consistently throughout the analysis of results.

Figure 7. Options to consider to foster a new approach for a more sustainable GIs production



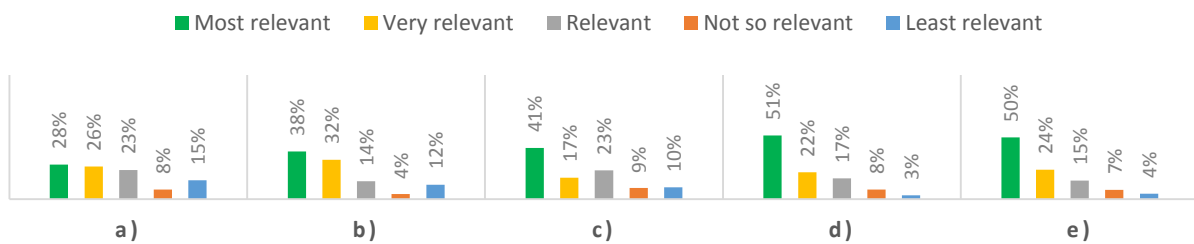
Note: 94% (N=283) of the respondents replied for the option d), 93% for the options e) (N=281), b) and c) (N=280), 92% (N=278) for the option a), and 91% for the option f).

- GI producers should not be required to follow higher sustainability standards than any other producer, because GIs intrinsically include natural features, human skills and tradition in the region
- GIs produced in conformity with a high voluntary sustainability standard should be clearly identified (by a label or other information means)
- Identify a guidance methodology on a high standard of sustainable production for voluntary use
- Request GI producer groups to define a high standard of sustainable production for their GIs
- Provide specific financial support to GI producers who meet a high standard of sustainable production
- Establish a list of non-sustainable techniques/practices for GI production

3.3.3. Improved position of GI producers and producer groups in the value chain

To improve the position of producers in the value chain, an overwhelming majority of respondents (90%) support the introduction of new powers for GI groups, firstly to take legal steps to enforce their GI, and secondly to licence or regulate the terms under which a GI used as an ingredient can be named in front-of-pack labelling of a processed product. Overall, favourable opinions were expressed on all the proposed options, with more than 75% of answers considering them relevant.

Figure 8. Options to improve the producers' position in the value chain



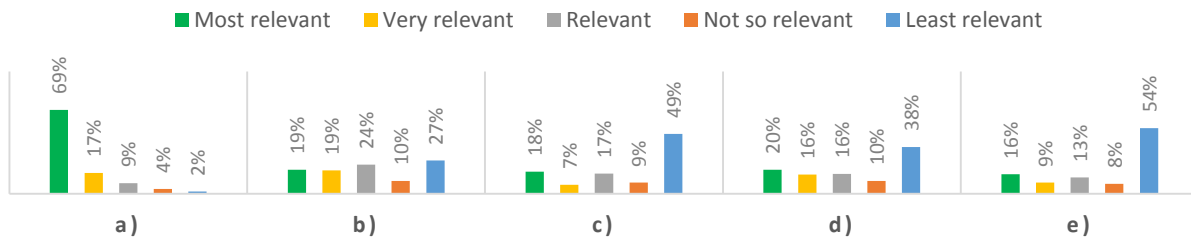
Note: 92% of the respondents replied for the options a) (N=278), b) and d) (N=277), 91% (N=275) for the option e), and 90% (N=272) for the option c).

- Provide guidelines to producers on how to set up a GI group and manage their GI
- Provide guidelines to producers on financial support GI producers could benefit from
- Empower GI groups to regulate the supply
- Introduce new powers for GI groups to take legal steps to enforce their GI including seeking court injunctions and other remedies
- Introduce new powers for GI groups to licence or regulate the terms under which a GI used as an ingredient can be named in front-of-pack labelling of a processed product

3.3.4. Higher consumer recognition of the EU logos

The fourth question in this section referred to the need to improve the consumers' recognition of the EU logos. Only the option proposing to reinforce information actions on EU quality schemes and logos received unambiguous support (95%). Over half of the respondents think of replacing EU Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI) logos by a single one as the least relevant option. Similarly, a majority of respondents do not support the optional use of EU logos for producers, whilst the possibility to make the use of these logos more flexible received mixed responses.

Figure 9. Relevant options to raise consumers' awareness on the EU logos



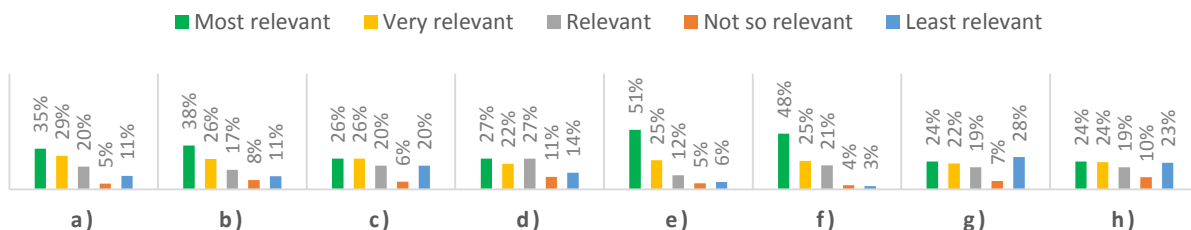
Note: 95% (N=288) of the respondents replied for the option a), 93% (N=280) for the option d), 92% (N=277) for the options b) and e), and 90% (N=272) for the option c).

- a) Reinforce information actions on EU quality schemes and logos
- b) Make the use of EU logos more flexible (e.g. with GI ingredients; allow use PDO, PGI and TSG acronyms; use logos on websites instead of packaging)
- c) The use of EU logos should be optional for all producers
- d) Add distinctive elements to EU logo for those GIs which adhere to higher sustainability standards
- e) Replace current EU PDO and PGI logos by a single one

3.3.5. Less burdensome GI schemes

Respondents were also asked to reflect on options that could reduce unnecessary burdens and clarify the GI schemes framework. A few options received a strong support while others were weakly supported. The most favoured option is to finance GI producer groups to scientifically analyse the sustainability of production, nutritional profile of the GI, and adaptability to climate change (94%). Ensuring full digitalisation of the GI registration process was the second most favoured option, with almost half of the respondents considering it the most relevant option. Finally, 65% of respondents support the appointment of an intellectual property (IP) agency and 67% believe that the introduction of a dedicated GI-appeal body procedure is overall relevant.

Figure 10. Options to reduce unnecessary burdens and clarify the framework



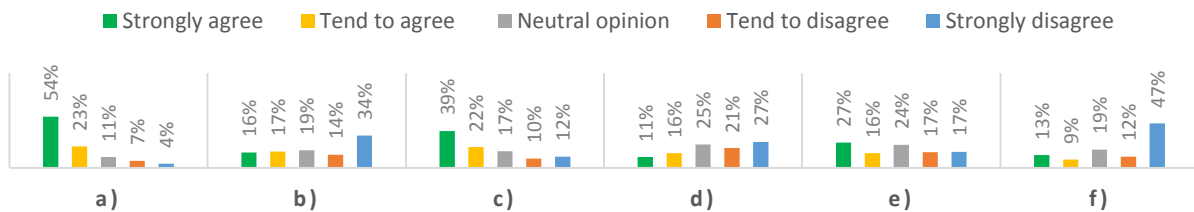
Note: 93% (N=280) of the respondents replied for the option a), 92% (N=278) for the option b), 90% (N=272) for the option e), 89% (N=270) for the option g), 88% for the option h) (N=267) and c) (N=265), 84% (N=255) for the option f), and 81% for the option d).

- a) Provide public guidelines for standardised examinations of GI applications at EU and national level
- b) Implement a lighter approval procedure for changes which increase sustainable production
- c) Merge the registration and opposition aspects of all GIs into one single system while keeping distinct the substantive rules for food, wine, and spirit drinks GIs
- d) Ensure that GI producers are clearly offered existing derogations from sanitary and hygiene standards for quality products
- e) Finance GI producer groups to scientifically analyse the sustainability of production, nutritional profile of the GI, and adaptability to climate change
- f) Ensure full digitalisation of the GI registration process (including for producers making applications to national authorities and for applications from non-EU countries)
- g) Appoint an IP agency to manage GI registration and oppositions on condition that there is a substantive increase in efficiency and quality of the registration procedure
- h) Introduce a dedicated GI appeal-body procedure in respect of decisions on registration, amendment, opposition and cancellation

3.3.6. Replacing the Traditional Speciality Guaranteed (TSG) scheme

In the last question of this third section of the questionnaire, stakeholders were asked to rate a series of possible options for revising the TSG scheme. The majority of respondents (59%⁸) disagree with the idea that no traditional speciality scheme is needed at EU-level. Most of respondents tend to agree or strongly agree that names of traditional agricultural products should be strictly protected, preventing producers who are not registered from referring to the names, or face sanctions (61%). However, respondents hesitate whether to impose legal recipe requirements on chefs in restaurants (48% against; 33% in favour). A higher share of respondents (77%) believes that genuine traditional agricultural products from all regions of the EU should be listed, promoted and be easily identified to consumers. Views were mixed on whether name protection should be limited to tried-and-tested mechanisms like GIs and trade marks (43% agree; 34% not agree).

Figure 11. Respondents' opinions on reform options for the TSG scheme



Note: 75% (N=228) of the respondents replied for the option a), 72% (N=218) for option c), 70% (N=211) for the option d), 69% (N=209) for the options b) and f), and 68% (N=206) for the option e).

- a) Genuine traditional agricultural products from all regions of the EU should be listed, promoted and be easily identified to consumers
- b) If a restaurant serves a traditional speciality prepared dish (a soup or a stew), the chef who made it should be required to follow an official recipe or face sanctions
- c) Names of traditional agricultural products should be strictly protected, preventing producers who are not registered from referring to the names, or face sanctions
- d) To identify genuine traditional agricultural products the term "Traditional Speciality Guaranteed" should be protected, but not necessarily the names of the products.

⁸ Scores of replies 'Strongly disagree', 'Tend to disagree' were added up. This method is used consistently throughout the analysis of results.

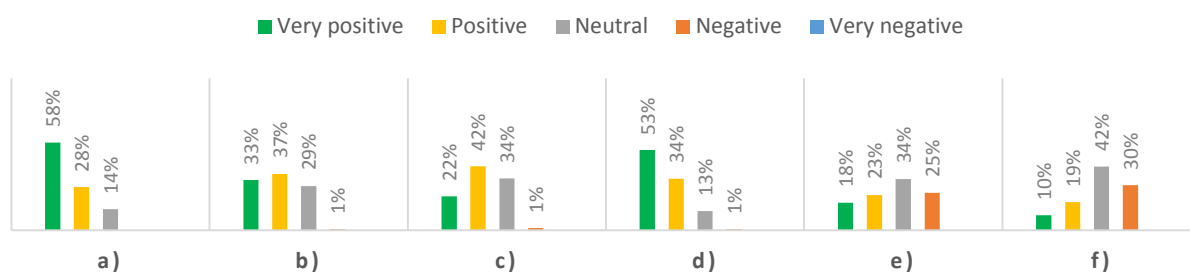
- e) Protection of names of traditional products should only be made under tried and tested instruments like protected designations of origin and collective trade marks
- f) No traditional speciality scheme is needed at EU-level

3.4. Impact of the review

3.4.1. Protection and enforcement

Concerning the impact of a more harmonised control and enforcement of the GI schemes, the overall majority of the respondents (87%⁹) acknowledged its positive or very positive impact on the protection of product names against infringements and on guaranteeing the product authenticity. To a lesser extent, such intervention was considered as relevant – although still as having a positive impact – on the competitiveness of SMEs (64%) and on the fair return for farmers and producers (70%). In contrast, up to 30% of the respondents considered that the impact would be rather negative as regards the burden for the public administration (30%) and the costs for GI producers (25%).

Figure 12. Impact of a more harmonised approach



Note: 95% of the respondents replied for the issues a) (N=288) and d) (N=286), 94% (N=285) for the issue b), 92% (N=278) for the issue c), 91% (N=275) for the issue e), and 89% (N=270) for the issue f).

- a) Protection of product names against infringements
- b) Fair return for farmers and producers
- c) Competitiveness of SMEs
- d) Guarantee of product authenticity
- e) Costs for GI producers
- f) Burden for public administration

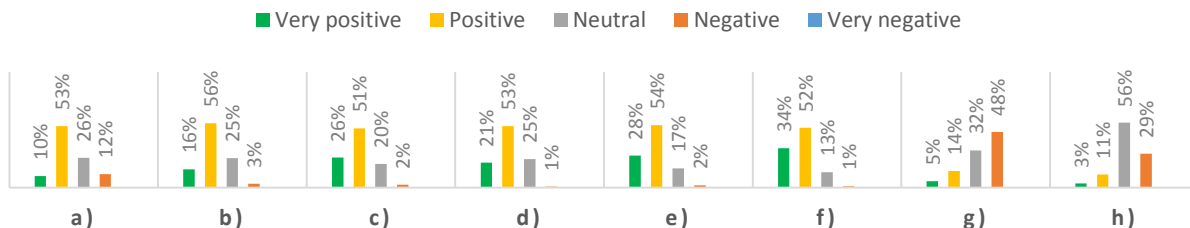
3.4.2. Sustainability

A second question in this section tackled the impacts of economic, social and environmental sustainability practices. It is noted that a vast majority of the respondents equally agreed that sustainability practices would have a positive or very positive impact, most notably on the preservation of biodiversity, habitats, landscapes, local plant varieties and breeds (86%), environmentally friendly production patterns (82%) and on strengthening the economic, social and territorial cohesion of rural areas (77%). Sustainability is also deemed to have a positive effect on increasing consumer awareness of the schemes (74%), on the creation of new business opportunities (72%) and on boosting the competitiveness of SMEs (63%).

⁹ Scores of replies ‘Positive’ and ‘Very positive’ were added up. This method is used consistently throughout the analysis of results.

On the other hand, the greater part of the stakeholders highlighted the negative impact that additional sustainability measures may have on the costs for GI producers (48%) and on the burden for the public administration (29%). To a lesser extent (12%), a possible negative impact on the competitiveness of SMEs was also pointed out.

Figure 13. Impact of higher sustainability standards



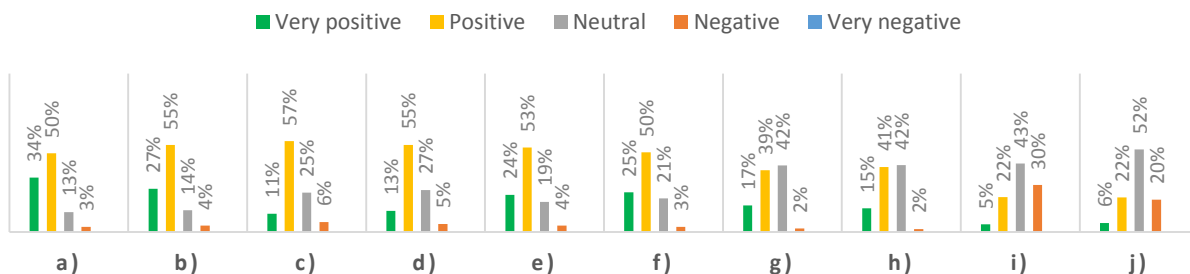
Note: 96% (N=289) of the respondents replied to the issue e), 95% to the issues f) (N=288) and b) (N=287), 94% to the issues c) (N=285) and d) (N=284), 92% (N=277) to the issue a), 88% (N=267) to the issue h), and 85% (N=258) to the issue g).

- a) Competitiveness of SMEs
- b) Creation of new business opportunities
- c) Strengthen the economic, social and territorial cohesion of rural areas
- d) Consumer awareness of the schemes
- e) Environmentally friendly production patterns
- f) Preservation of biodiversity, habitats, landscapes, local plant varieties and breeds
- g) Costs for GI producers
- h) Burden for public administration

3.4.3. GI producer groups

As regards the expected impact of reinforced responsibilities for GI producer groups, more than two thirds of the stakeholders considered that the impact of the GI revision would be positive on the following topics: protection of product names against infringements, position of GI producers in the value chain, competitiveness of SMEs, creation of new business opportunities, securing faster protection of GI producer's right and strengthening the economic, social and territorial cohesion of rural areas. A neutral to positive impact is expected by the respondents on consumer awareness of the schemes and increased take-up of GIs. Finally, 43% of respondents believe that there would not be a noticeable impact on costs for GI producers, and 52% think the impact would also be neutral on burden for public administration.

Figure 14. Impact of reinforced responsibilities for producer groups



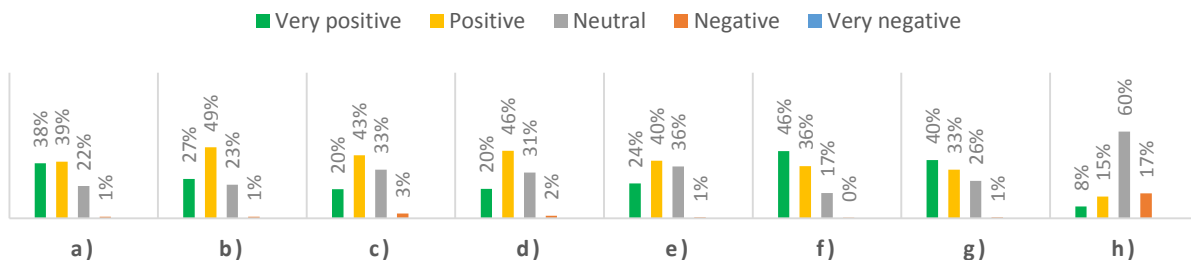
Note: 92% (N=277) of the respondents replied for the issue a), 91% (N=275) for the issue b), 90% for the issues e), f) (N=272) and d) (N=271), 89% for the issues c) (N=270), g) (N=269), and h) (N=268), 88% (N=265) for the issue j), and 87% (N=263) for the issue i).

- a) Protection of product names against infringements
- b) Position of GI producers in the value chain
- c) Competitiveness of SMEs
- d) Creation of new business opportunities
- e) Securing faster protection of GI producer's right
- f) Strengthen the economic, social and territorial cohesion of rural areas
- g) Consumer awareness of the schemes
- h) Increased take-up of GIs
- i) Costs for GI producers
- j) Burden for public administration

3.4.4. Consumers' knowledge of the EU logos

Respondents were also asked to evaluate the potential impact of reinforced information action and compulsory use of EU logos. First, 60% of the respondents think that such reform would have a neutral impact on the costs for GI producers. The consumer awareness of the schemes (76%) and guarantee of product authenticity (73%) are the two areas where respondents believe the most that a reform would have a positive or very positive impact. Overall, respondents do not expect reinforced information and compulsory use of EU logos to have a very negative impact on the proposed topics.

Figure 15. Impact of reinforced information actions and compulsory use of EU logos



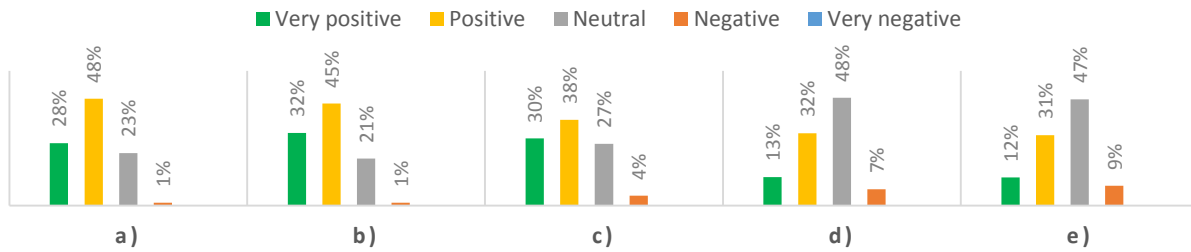
Note: 93% of the respondents replied for the issues f) (N=281) and a) (N=280), 92% (N=277) for the issue b), 91% (N=275) for the issue e), 90% for the issues g) (N=272) and d) (N=271), 89% (N=268) for the issue h), and 88% (N=266) for the issue c).

- a) Protection of product names against infringements
- b) Position of GI producers in the value chain
- c) Competitiveness of SMEs
- d) Creation of new business opportunities
- e) Strengthen the economic, social and territorial cohesion of rural areas
- f) Consumer awareness of the schemes
- g) Guarantee of product authenticity
- h) Costs for GI producers

3.4.5. Less burdensome procedures

The last question of the OPC focused on the nature of the impacts of a single regulation and full digitalisation of the processes. Overall, 77% of respondents think that a single regulation and full digitalisation would be positive or very positive for the transparency of the registration process. Similarly, 76% of stakeholders believe that this impact would also be positive or very positive in order to secure swift protection of GI producer's right. Finally, around half of the answers show a neutral opinion on the impact on costs for producers and burden for public administration.

Figure 16. Impact of a single regulation and full digitalisation of the processes



Note: 94% (N=253) of the respondents replied for the issue b), 83% for the issues a), d) (N=252), and c) (N=251), and 82% (N=249) for the issue e).

- a) Securing swift protection of GI producer's right
- b) Transparency of the registration process
- c) Understanding of the rules
- d) Costs for GI producers
- e) Burden for public administration

4. ADDITIONAL COMMENTS AND POSITIONS PAPERS

For each question, respondents had the possibility to provide further information through a box "Other, please specify". 144 respondents provided such comments. In addition, replies to twelve consultation questionnaires were received by email, as well as ten position papers provided by different organisations. The analysis of these comments will be taken into account in the synopsis report of all consultation work carried out in the framework the revision of the EU geographical indications systems in agricultural products and foodstuffs, wines and spirit drinks.